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PTO/SB/30 (5/2000)

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RCE

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number

09/755,978

Filing Date

Jan. 5, 2001

First Named Inventor

ROOS, MARTIN

Group Art Unit

3677

Examiner Name

Thomas Y HO

Attorney Docket Number

2000P80020 US01

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a.  Previously submitted  
 i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 15 September 2004  
 (Any unentered amendment(s) referred to above will be entered).  
 ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
 iii.  Other \_\_\_\_\_
- b.  Enclosed  
 i.  Amendment/Reply  
 ii.  Affidavit(s)/Declaration(s)  
 iii.  Information Disclosure Statement (IDS)  
 iv.  Other \_\_\_\_\_

THE SUBMISSION REQUIREMENT IS MET BY APPLICANT'S AMENDMENT UPON FINAL REJECTION, FILED 9/15/04 WITH NEW ISSUES NOTED IN THE ADVISORY ACTION OF 10/28/04, TO BE ENTERED AND CONSIDERED

2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)  
 b.  Other PETITION FOR A TWO MONTH EXTENSION IS ENCLOSED

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to  
 Deposit Account No. 06-0105  
 i.  RCE fee required under 37 C.F.R. § 1.17(e)  
 ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)  
 iii.  Other ONLY ANY DEFICIENCY IN REQUIRED RCE FEE UNDER 37 CFR 1.17(e) IF ANY  
 b.  Check in the amount of \$ 790. enclosed  
 c.  Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |                  |                                   |         |
|-------------------|------------------|-----------------------------------|---------|
| Name (Print/Type) | MARTIN A. FARBER | Registration No. (Attorney/Agent) | 22345   |
| Signature         |                  | Date                              | 11/5/04 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box 1450, Washington, DC 20231, or transmitted to the U.S. Patent and Trademark Office on: 11/5/04

|                   |                  |
|-------------------|------------------|
| Name (Print/Type) | MARTIN A. FARBER |
| Signature         |                  |
| Date              | 11/5/04          |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

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